

APPENDIX C

Reference Material (Rules and Regulations TDY Travel only)

REFERENCE MATERIAL RULES AND REGULATIONS (TDY ONLY)

A. Travel Authorization

References: 41 CFR PART 301.1 (Code of Federal Regulations)
FTR Chapter 31 (Federal Travel Regulations)

All travel shall be authorized or approved by the head of the agency or by a delegated official. Ordinarily, a travel authorization shall be issued before the incurrence of the expenses. Agencies shall prescribe procedures for travel situations where it is not practical or possible to issue a written authorization in advance. General or blanket travel authorizations for entire agencies or groups of employees shall not be used. Each employee's travel shall be authorized separately. To ensure adequate managerial and supervisory attention to the need for all travel, employee travel shall be authorized under one of the following types of travel authorizations:

1. Unlimited Open Authorizations

- a. Allows employee to travel under any purpose.
- b. Issued only for department or agency heads, their deputies, or other principal agency officials as the agency head or deputy may designate, and managers of major subunits where no supervisor is present.

2. Limited Open Authorizations

- a. Allow employee to travel under certain specified conditions:
 - Specific geographical areas
 - Specific purposes
 - Subject to trip cost ceilings
 - Specific period of time
 - May be provided for employees whose duties require frequent repetitive travel
 - Should be reviewed and revalidated at least quarterly
 - Should include realistic limitations on purpose, geographic area, number of trips, trip duration, and costs.

Unlimited and limited open authorizations shall include an estimate of the travel costs to be incurred over the period covered. Agencies shall use these estimates to obligate the funds to improve travel budgetary controls.

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3. Trip By Trip Authorizations

- b. Allows an individual or group of individuals to take one or more specific trips and shall include:
 - Specific purpose
 - Itinerary
 - Estimated cost

Travel not authorized on an unlimited or limited open authorization shall be separately authorized on a trip-by-trip. Due to relatively high costs associated with certain kinds of travel, the following shall be authorized only on a trip-by-trip basis and reviewed at a level of authority sufficient to provide policy approval:

- c. Conferences
- d. Meetings
- e. Training sessions
- f. Foreign travel
- g. Change of official station

Travel authorizations and associated travel vouchers shall specify clearly the purpose of the travel. Travel authorizations shall include estimates of the cost of travel.

Reference: **GAO/OGC-89-8 CPLM-Travel**

Except as otherwise provided by law, all travel shall be either authorized or approved by the head of the agency or by an official to whom such authority has been delegated. Ordinarily, an authorization shall be issued before the incurrence of the expenses..."

The above quoted provision has been construed by this Office as requiring written authorization or approval (B-192590, 12/14/78). This construction is supported by the FTR which states that the travel voucher must be supported by a copy of the travel authorization. Therefore, except when prior issuance is impracticable, or when the travel is of such limited nature that it is unnecessary, written authorization should be issued prior to the incurrence of travel expenses. We have stated that written travel order procedures assist in fund control and meeting the requirements of recording obligations at the time they are incurred. Moreover, they also serve to provide a notice and record of the employees instructions and entitlements. (B-181431, 2/27/75, B-198937, 4/15/81, B-203820, 19/19/81)

General orders may be issued, under certain circumstances. In those cases where the duties of an employee require repeated and frequent travel and the exercise of

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individual discretion, the use of general travel orders has been permitted. However, even in such cases, in order for the travel to be specified as definitely as circumstances will permit within the meaning of the regulation, the order should be renewed at least each fiscal year, and as frequently during the fiscal year as there is any change in status affecting the travel required by the employee. (14 Comp. Gen. 414, 1934)

Reference: US Department of Labor (Office of Workers Compensation Programs) Publication CA-810 Chapter 3-4

Employees in travel status are covered 24 hours a day for all reasonable incidents of their TDY. All claims for injuries occurring in travel status should be accompanied by a copy of the travel authorization.

II. Obligation of the Travel Authorization/Control of Funds

Reference: Antideficiency Guidelines - 31 U.S.C. 1341 (a)(1)

An officer or employee of the United States Government or of the District of Columbia government may not - (A) make or authorize an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation.

Reference: Appropriation Accounting - 31 U.S.C. 1501 (a)(7)

An amount shall be recorded as an obligation of the United States Government only when supported by documentary evidence of employment or services of persons or expenses of travel under law.

Reference: Funds Control - Title 2, General Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies, Appendix I, Section F50.02

Every agency is required by 31 U.S.C. 1514 to have a system of administrative control of funds, approved by the President, that will restrict obligations or expenditures to the amounts appropriated to applicable fund balances and to the amounts, apportionments or reappportionments made for the current fiscal period. Reserves established by the Director of OMB or other authorized officials are also to be controlled. In addition, the system of administrative control of funds must fix responsibility for the creation of any obligation, the making of any expenditure, or the making of any disbursement, in excess of an apportionment, reappportionment, or other subdivision of authority. The requirements for these systems are prescribed by OMB in its Circular A-34, and the

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related guidelines.

Reference: Funds Control - Title 2, General Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies, Appendix I, Section F50.04

To control funds adequately, there must be an effective verification of available funds (positive knowledge) before creating an obligation, and obligation information must be accumulated and reported promptly and accurately. Specific criteria governing the recording and reporting of financial transactions as obligations are prescribed in 31 U.S.C. 1501.... That law provides that no amount shall be recorded as an obligation unless it meets the specified criteria and that statements of obligations furnished to the Congress or to any of its committees shall include only amounts representing valid obligations, as so defined.

Reference: Funds Control - Title 2, General Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies, Appendix I, Section F50.05

For purposes of effective financial planning, including fund management, data on proposed expenditures must be systematically accumulated in accounting records in advance of becoming valid obligations, but only valid obligations as defined by law or regulation (and disbursements, in the case of advances and prepayments) are to be reported as obligations incurred.

Reference: Title 7, General Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies, Chapter 3, Section 3.4 (A)

All obligations shall be promptly recorded as charges against the applicable appropriations in such a manner as will meet the requirements for control over funds, provide essential management information, and facilitate the preparation of statements and required reports.

Reference: Office of Management and Budget Circular A-34, Instructions on Budget Execution

Section 22 cites the 31 U.S.C. 1501 prescription regarding the reporting of obligations.

Section 23.3 Travel and Transportation states that:

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As a general rule, include amounts for travel and transportation that are needed during the reporting period and (a) for which a valid contract for services has been made, or (b) for which travel and transportation expenses have been incurred. A valid contract for services is a binding agreement for specific services. Transportation requisitions, Government bills of lading and shipping orders are not binding agreements for specific goods or services.

However, in the exceptional case of travel and transportation expenses incident to dislocation at the request of the Government, the amount will be reported as an obligation on the basis of individual travel orders.

Also, obligations may, where practicable, be tentatively recorded for transactions within the year, provided that agencies place them on an actual basis at the end of the fiscal year (except those transactions specifically exempted by a provision of law and authorized reimbursable travel and transportation expenses incident to dislocation at the request of the Government).

Reference: **Code of Federal Regulations - 31 CFR 301-1.102(d)**

Travel authorizations shall include estimates of the cost of the travel. Both unlimited and limited open authorizations shall also include an estimate of the travel costs to be incurred over the period covered by the authorization. Agencies shall use these estimates to obligate the funds necessary to carry out that particular travel to improve travel budgetary controls.

III. Travel Arrangements

For many years there was a government wide prohibition against using as commercial travel agent. On May 25, 1984, the General Accounting Office removed the restriction and allowed the General Services Administration to contract for travel services, resulting in the establishment of approximately 140 travel management centers (TMC) nationwide. These TMC's were intended to provide full travel management services nation-wide, including but not limited to, airline, train, and bus reservations and ticketing; reservations for car rental and lodging; assistance with visas and passports; and arranging conferences and seminars. The number of TMC's and the various methods used by the different government entities, proved to be overwhelming to the commercial travel agencies and the government users. Thus, most processes were streamlined to provide only minimum service essential to arranging for en route transportation and limited support for car rental service. Most travelers have not been willing to trust the TMC's which securing the lodging reservations and have continued

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to perform this function themselves.

Based on the GSA contracts the Department is required to procure travel services from approximately 140 TMC's. Each bureau or office utilizing a TMC must enter into a separate memorandum of understanding (MOU) with the TMC; thus, if five bureaus use a TMC in a given location, five separate MOU's must be developed. The service provided by the TMC's vary substantially.

Under the current TMC arrangements a traveler having a requirement for commercial transportation services must obtain a travel authorization, contact the TMC to request flight/rail schedules and seat availability.

IV. Travel Voucher

Regulatory requirements are presented in 41 CFR 301-11.4. This provides for review by the approving official, and clearly places ultimate responsibility with the certifying official for authenticity of information contained in the travel voucher and legality of eventual payment. Further, 41 CFR 301-11.4 (c) outlines the responsibilities of a voucher examiner. The voucher examiner ascertains:

1. Accuracy of amounts claimed;
2. Whether or not types of expenses claimed are authorized and allowable; and
3. That required receipts and other documentation are attached to the voucher.

The voucher examiner also examines supporting documentation for items such as unused portions of passenger tickets, which indicates a refund due the government, and is the first step in initiating the refund process.